

Applicant(s) VAARSTRA, BRIAN A.		Examiner Thao X Le	
Application No. 10/032,049		Art Unit 2814	

Notice of Allowability

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- ☒ 1. This communication is responsive to 06/19/03.
- ☒ 2. The allowed claim(s) is/are 1-9, 11-22, 24-38 and 40-53.
- ☒ 3. The drawings filed on 21 December 2001 are accepted by the Examiner.
- ☐ 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All
 - b) ☐ Some
 - c) ☐ None
 - d) of the:
- ☐ 1. Certified copies of the priority documents have been received.
- ☐ 2. Certified copies of the priority documents have been received in Application No. _____.
- ☐ 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

- ☐ 5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) ☐ The translation of the foreign language provisional application has been received.
 - b) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.
- ☐ 6. Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
- ☐ 7. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- ☐ 8. CORRECTED DRAWINGS must be submitted.
 - a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

- ☐ 9. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.**

Attachment(s)

- ☐ 1. Notice of References Cited (PTO-892)
- ☐ 3. Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ 5. Information Disclosure Statements (PTO-1449), Paper No. 0903.
- ☐ 7. Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ 2. Notice of Informal Patent Application (PTO-152)
- ☐ 4. Interview Summary (PTO-413), Paper No. _____
- ☒ 6. Examiner's Amendment/Comment
- ☒ 8. Examiner's Statement of Reasons for Allowance
- ☐ 9. Other

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Loren Albin on 07 Oct. 03. The application has been amended as follows:

In the claims:

- Claim 1 line 1: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 11 line 3: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 18 line 12: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 24 line 3: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 31 line 10: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 34 line 11: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 37 line 16: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 40 line 3: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 50 line 14: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 51 line 11: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 52 line 13: after "complexes of " delete "X₂" and insert -- halogen --
- Claim 53 line 12: after "complexes of " delete "X₂" and insert -- halogen --

Reason for Allowance

2. The following is an examiner's statement of reasons for allowance: Claims 1-9, 11-22,

24-38, 40-53 are allowed because the prior art of record fails to disclose all the limitations in the base claims 1, 18, 31, 34, 37, 50, 51, 52, and 53 including: the planarization composition

comprises a halogen-containing compound and a halide salt, which are separately delivered, and wherein the halogen-containing compound is selected from the group of a halogen, a

interhalogen, a halogen-generating compound selected from the group consisting of XeF_2 , HgF_2 , SF_4 , alkyl halides, and complexes of halogen with organic bases.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thao X Le whose telephone number is 703-306-0208. The examiner can normally be reached on M-F from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael M Fahmy can be reached on 703-308-4918. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Thao X. Le